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the sloop the owner, *John Benrose* [Penrose], the captain, whose name was *Sherwood*, and a sailor.

[The missionaries returned to Pennsylvania by way of New York, arriving at Bethlehem on April 10, 1744].

THE SITE OF OLD "JAMES TOWNE," 1607-1698.*

BY SAMUEL H. YONGE.

(Continued from page 276.)

As the time of Newport's colony, immediately after its arrival in Virginia was occupied in exploring the country, building the stockade, and preparing a cargo for the return voyage of the ships, the building of quarters was neglected, and those erected were inadequate in number and afforded but imperfect shelter. The best of them were built of rails and roofed with marsh grass thatch covered with earth.† According to the "Breife Declaration," some of the settlers lived in holes in the ground, as is sometimes done on the western plains, where they are called "dug-outs."

After Newport's departure, hot weather and general illness of the party supervening, the completing of the huts was prevented until the fall of 1607.‡

The first huts were destroyed by fire in January, 1608, and were not fully replaced until after Newport's departure for England, in April of that year,§ about which time the clearing of the four acres was begun.

The huts which replaced those that were burned were more

* Copyright, 1903, by Samuel H. Yonge.

† Works, Captain John Smith, p. 957. (The references in this monograph to "Works, Captain John Smith," are from Prof. Edward Arber's edition.)

‡ *Ibid*, pp. 10, 96, 392.

§ *Ibid*, pp. 105, 409.

comfortable than the latter. Their sides were lined with Indian mats, and the roofs made of boards.* They were apparently without floors. Improvements were gradually made in hut construction by roofing with the bark of trees so as to shed water, probably in the same manner as half cylinder roofing tiles are used, and erecting "wide and large country chimnies," of wattles plastered with clay.† About a year later twenty additional houses were added,‡ and, when Captain Smith left the settlement in 1609, it had, according to his account, within the fort, then equipped with twenty-four guns of different calibers, of which, however, probably not over six were mounted in the bastions, besides the church and store house, forty or fifty of the above huts.§ Dr. Simmonds states that there were fifty or sixty houses within the stockade,|| where also was situated the well, prior to digging which the settlers drank the slimy, brackish water of the river, thus bringing on serious enteric troubles. The well water, naturally enough, was filled with organic matter and was sometimes brackish. It was found in an unsanitary condition by Dale in 1611, resulting probably from its proximity to the huts. Dale proposed, among other improvements to be made in the town, the digging of a new well. In 1617 the new well was found to be polluted.°

The fort undoubtedly stood above the level of great tides, as otherwise, Captain John Smith or others would have referred in their writings to the discomforts arising from tidal inundations. Judging from the contours of the ground, at or adjoining the site of the fort, its elevation was not less than seven or eight feet above low water.¶

* *Ibid*, pp. 502, 503.

† *Purchas His Pilgrimes*, Lib. IX, p. 1752.

‡ Works, Captain John Smith, pp. 154, 471.

§ *Ibid*, p. 612.

|| *Ibid*, p. 486.

° Works, Captain John Smith, p. 535.

¶ The depth of the well in the fort is given by Strachey in *Purchas His Pilgrimes* at six or seven fathoms. This, evidently, is a misprint, and should read six or seven feet. The level of water in wells on the island follows that of the tides. The bottom of an ancient well on the third ridge is about 1½ feet below low tide. A proper depth for a well in the fort would probably have been 7 to 9½ feet, depending on the elevation of the ground.

According to Strachey, whose writings show that he was well grounded in the humanities, although not so well versed in the science of numbers, the ground enclosed by the first fort had an area of a half-acre. The fort was a stockade about fourteen feet high, formed of trees set about four feet in the ground. Its south curtain or bulwark was one hundred and forty yards long and the other two sides one hundred yards each. It is inferred from each of the pales forming a load for two or three men, that they were eight to ten inches in diameter.*

It is very improbable that the fort had any earthworks. It had three entrances or ports, one through each curtain or bulwark, the principal one being through the south curtain. Within the stockade, facing each port, was a fieldpiece.

The huts were arranged in rows parallel to the curtains with a street thirty to thirty-six feet wide intervening. Within the hollow triangle formed by the lines of huts, and having probably an area of about a half acre, were the guard house, the market place and the chapel "in length three score foote in breadth twenty-foure."†

Dr. Simmonds gives the width of the streets between the lines of huts and the palisades at eight to ten yards.‡

In 1611, Sir Thomas Dale erected a "munition-house," a powder-house, a fish-house, a shelter-shed for cattle and a stable,§ and a few months later Sir Thomas Gates added a storehouse, covering a space of one hundred and twenty by forty feet and a number (not given) of log houses arranged in two rows, some of which were two stories and a garret high. About this time also the stockade was repaired and a new gun platform placed at its western end, presumably at the point of the triangular fort known as the west bastion.|| It is apparent that if all of the different structures above enumerated were situated within the triangular fort, whose area was a small fraction more than one acre, there would have remained little or no room for the three

* Works, Captain John Smith, p. 612.

† *Purchas His Pilgrimes, Liber IX*, pp. 1752, 1753.

‡ Works, Captain John Smith, p. 407.

§ *The Genesis of the United States*, p. 492.

|| Hamor's *True Discourse*, p. 33.

or four hundred people who sometimes constituted the population. Some of the buildings, therefore, were outside of the triangle and in other parts of the paled town. The place must now have presented an appearance similar to that of some of our earlier frontier posts.

On account of unseasoned or sappy timber being used for the log houses, but five or six remained serviceable in 1617.* No improvements, however, appear to have been made after Gates' second administration in 1614, or new buildings added except the wooden church last referred to, whose dimensions were fifty by twenty feet, until Sir George Yeardley's arrival in 1619.

In 1623 there were but twenty-two dwellings at "James Citty," seemingly insufficient number to accommodate the new settlers who, on their way to the interior, for several years, had been arriving in large numbers. The massacre of 1622 and unfavorable reports of the colony published by several unprincipled partisans of Sir Thomas Smythe, treasurer or governor of the London Company, to create prejudice against and destroy confidence in the Virginia enterprise under the administrations of Sir Edwin Sandys, Smythe's successor, and of the Earl of Southampton, who succeeded Sandys, checked the growth of the colony and, to some extent, therefore, that of the town.

For many years the place apparently made little or no progress. On February 20, 1636, a law was enacted by the Grand Assembly † providing for a grant of a house lot and garden plot to every settler that would build thereon within six months. A similar law was made in 1638, and, as a result, twelve dwellings and stores, including the first brick house of the colony, sixteen by twenty-four feet in plan, were erected. Within the year following all the lots along the town's water front were patented.‡

The patent records contain eight land grants made within the town precincts between 1636 and 1642.§ In the latter year Sir

* Works, Captain John Smith, p. 535.

† Virginia Land Patent Records, Book I, p. 689.

‡ *McDonald Papers*, Vol. I, pp. 247-249. Governor Harvey and Council to Privy Council, January, 1639.

§ Virginia Land Patent Records, Book I, pp. 466, 587, 588, 595, 598, 689, 730. Reference is made hereinafter to the incompleteness of the records.

William Berkeley, the new governor, arrived bearing instructions from the Royal government to rebuild the town with brick houses. According to the instructions every person who, "within a convenient time," should erect in any town of the colony a brick dwelling sixteen by twenty-four feet with a cellar would be granted five hundred acres of land. The colonial government was also empowered, in view of the existing town having proved unhealthy, to build a new one elsewhere, which, however, should bear the original name of "James Towne."* In March, 1643, the Grand Assembly framed a statute, according to which builders of houses on deserted lots in "James Citty" would acquire a title to the lot built on, provided the back quit rents were paid.†

The patent transcripts contain twelve issues for town lots between 1642 and 1662. At the close of the interregnum in 1661, during Sir William Berkeley's second term as governor of Virginia, he was again urged by the King to take steps to enlarge the town by erecting more houses, the monarch assuring him that "Wee will take it very well at their hands if they [the members of the colonial council] will each of them build one or more houses there."‡

In deference to the King's wish, an act was passed at the next ensuing session of the Assembly, inhibiting the building of any more wooden houses, and prescribing that there should be erected at "James Citty" thirty-two brick houses, forty by twenty feet in plan inside, apparently two stories high, and roofed with slate or tile.§ Each of the seventeen counties was required to build, at its expense, one of the houses. The above attempt to force the town's growth was a failure, for in 1676, at the outbreak of Bacon's Rebellion, the community held but sixteen or eighteen dwellings, most "as is the church built of brick, faire and large; and in them a dozen families (for all the houses are not inhabited) getting their liveings by keeping of ordinaries

* Instructions to Governor Berkeley and Council, August, 1641.—*McDonald Papers*, Vol. I, p. 383.

† *Hening's Statutes*, Vol. I, p. 252.

‡ Instructions to Governor Berkeley, *McDonald Papers*, Vol. I, p. 414.

§ *Hening's Statutes*, Vol. II, p. 172.

at extreordinary rates.''* The unoccupied houses were some of those which had been ordered built by statute of December, 1662, but had never been completed,† most probably on account of the poverty of their builders.

In 1676 the entire town was destroyed by Bacon as a strategic measure.

In 1682, Lord Culpeper, the governor, received instructions from England to rebuild, the royal good will being again tendered, as in the message to Berkeley of 1661, to the members of the council and prominent citizens of the town who should initiate the work. Two good houses had at that time been erected by Colonel Bacon the elder, and others were either under construction or proposed. Lord Culpeper's reply to the King's message contains a reason for the town's lack of recuperative power. "I have given all encouragement possible for the rebuilding of James Citty, The Generall Courts, publick offices, and meetings of Assemblies having been alwayes kept there, And Greenspring (the nearest convenient habitation) My place of Residence. But there being an Apprehension in many persons that there are other places in the Country more proper for a Metropolis, And that the aforesaid Act for Building Townes, would make one in the most naturall place, there hath not till now of late been Any Great Advance therein. As to the proposall of Building Houses by those of the Councell and the cheefe Inhabitants, It hath been once attempted in vaine, nothing but profit and advantage can doe it, and then there will be noe need of Anything else."‡

In 1697 the number of houses in the town was reported to be twenty or thirty.

In 1698, the royal mandate to build up the town was reiterated to Governor Nicholson, but before any steps could be taken to act on it, a fire occurred, by which the statehouse and prison,§ and probably all other buildings on the third ridge, were destroyed.

*Burwell MS., *Force's Historical Tracts*, Vol. I, *Bacons Proseedings*.

† British State Papers, Colonial, No. 62.

‡ *McDonald Papers*, Vol. VI, p. 165.

§ *The Present State of Virginia*, by Hugh Jones, A. M., p. 25.

At a session of the General Assembly held in April, 1699, acts were passed for establishing the city of Williamsburg (about eight miles north-east of "James Towne"), for erecting a state-house there and providing for raising funds to defray its cost by imposing an import tax on slaves, also on servants not born in England or Wales, brought to the colony.*

After the fire of 1698, "James Citty" waned. One patent for a small tract in the town, issued in October, 1699,† is of record, but no new houses are known to have been erected. Twenty-three years later, the place comprised nothing but "Abundance of Brick Rubbish, and three or four good inhabited Houses, tho' the Parish is of pretty large Extent, but less than others."‡ In 1807, there were two dwellings on the island, the Jacquelin-Ambler and Travis mansions, and in 1861, but one, the former, which was burned during the ensuing war. The above house was afterwards rebuilt, and again burned in 1896. The ground on which it formerly stood was probably owned by Sir Francis Wyatt in 1623. At some time prior to 1690 it belonged to John Page, clerk of the Assembly, from whom it was purchased by William Sherwood.§

POPULATION OF THE TOWN AND COLONY.

During the first eighteen years of the settling of Virginia there were great fluctuations in the population of the colony, and also of "James Forte" and "James Towne." Each influx of new life was followed by a more or less rapid ebbing of the human tide, resulting from the ravages of disease and the tomahawk. During the first eight months the fort's population dwindled from one hundred and five to a little band of thirty-eight persons, the smallest number that the colony ever held. By the arrival of several reinforcements during the twenty-one months following (January, 1608, to October, 1609), its population was increased to upwards of 490.|| Within eight months

* *Hening's Statutes*, Vol. III, pp. 193 and 197.

† Va. Land Pat. Records, Book IX, p. 232.

‡ *The Present State of Virginia*, by Hugh Jones, A. M., p. 25.

§ Va. Land Pat. Records, Book VIII, p. 384.

|| Works, Captain John Smith, p. 486. The numbers reported brought by different vessels indicate a less number.

the above number was reduced by death from starvation, climatic illness, and pestilence, to about sixty persons. Fresh accessions under Gates and La Warre in June, 1610, brought the number up to about 350, most of whom were quartered in the town. In a few months this number was diminished by death to about 200. Thus far about 900 persons had been sent from England to Virginia, of whom about 700 had perished.

Between December, 1606, and November, 1619, it is estimated that 2,540 persons emigrated to Virginia, of whom 1,640 died.^{*} Between the latter date and February, 1625, 4,749 colonists came to Virginia and 4,400 died, thus making a total mortality in about nineteen years of 6,040, out of 7,289.[†]

According to John Wroth, a member of the Warwick faction, up to 1623, 3,570 out of 5,270 colonists died in the four years ending with 1622.[‡] Captain Nathaniel Butler represented that up to the winter of 1622, the mortality was 8,000 out of 10,000,[§] while the resident colonists declared that up to the winter of 1622 not over 6,000 were sent to Virginia, of whom 2,500 were living.^{||} Captain John Smith says: "neere 7,000 people" out of 8,500 had died to 1627.[°]

As pointed out above, there were in June, 1610, about 350 people at "James Towne." In 1616, there were on the entire island fifty persons, under Lieutenant Sharpe. It is stated that in the following year there were 400 persons at "James Towne," of whom, on account of sickness, only one-half were effective.[¶]

A census taken in 1623 gives the population of the town at 183. It also shows that during the preceding year, eighty-nine had died in the town. "^{^^}

* *The First Republic in America*, pp. 285, 329.

† *Ibid.*, p. 612.

‡ *The Genesis of the United States*, p. 1064.

§ *The Unmasked Face*.

|| *The Denial of Nathaniel Butler's "The Unmasked Face," Neill's History of the Va. Company*, p. 405.

° Works, Captain John Smith, p. 884.

¶ *Ibid.*, p. 536.

^^ McDonald Papers, Vol. I.

Although "James Citty" had now assumed more of the proportions of a town, it possessed none of the attractions or allurements which would demand expenditures of money, and probably but few opportunities for making it by trade. The simple, primitive tastes of the settlers, coupled with their general poverty, made shops superfluous. In 1625 the town had one merchant's store.* An attempt was made in 1649 to hold a bi-weekly market. This was a complete failure and, six years later, the act providing for the market was repealed.†

Nearly all who came to the colony, except the officials, had all to make and little to spend. The population of the town, therefore, did not keep pace with that of the colony, in which, after about the first twenty-five years, it slowly but steadily increased. In 1634 it amounted to 5,119;‡ in 1649, to 15,000;§ in 1665, to 40,000;|| in 1681, to 70,000 or 80,000;° and in 1715 to 95,000." The function of the town was that of furnishing a place for the assembling of the legislature and for holding courts. Its permanent population, after about 1623, comprised only a part of the bureaucracy of the colony, and tavern keepers, with their respective families, amounting possibly to one hundred persons, which approximate number was periodically doubled by the meetings of the assembly and court.

SUFFERINGS OF THE EARLY COLONISTS.

The settlement near the head of Jamestown Island was at first called "James Forte" and "James Towne," usually the latter. After the fort was enlarged in 1608, and until about 1620, or shortly after the close of Sir Thomas Smythe's admin-

* *The First Republic in America*, p. 623.

† *Hening's Statutes*, Vol. I, pp. 362, 397.

‡ State Papers, Colonial, Vol. 8, No. 65, 1634, De Jarnette Papers.

§ Force's *Historical Tracts*, Vol. II. *A Perfect Description of Virginia*, p. 1.

|| Winder Papers, Vol. I, p. 187.

° Sainsbury Abstracts, Vol. 1681-1685, par. 275. Of this number 76 per cent. were freemen.

^^ Chalmer's *American Colonies*, Vol. II, p. 7.

istration as governor of the London Company, it was almost invariably referred to by the latter appellation.

The sufferings of the colonists during the above period have probably never been surpassed or even equalled in measure or degree in any other pioneer colony. Under the Smythe regime the colonists' greatest sufferings resulted from hunger. Hand in hand with famine stalked pestilence, yellow fever communicated by vessels bound for "James Towne" which had touched at the West Indies, and bubonic plague and cholera brought from London. Fevers and dysentery resulting from exposure, noxious exhalations from the surrounding marshes and from forest mould for the first time exposed to the heat of the summer sun, and impure water, did their share in decimating the colony. The remedies then in use doubtless increased the mortality, bringing fatal results to many who, without them, would have recovered. That the leaders did not succumb was no doubt largely due to nearly all being in the prime of manhood and inured to hardship through the campaigns against the Spaniards in the Netherlands, by which experience they had learned how to avert some of the bad effects of camp life.

As the colonists were but meagerly supplied with provisions from England and raised but few food products, their labor being principally employed in producing tobacco and other articles for export, for the benefit of the London Company, their subsistence during the first four or five years was derived principally from the Indian, either by force or barter. They were not permitted to engage in planting on their own account, except on condition of contributing a part of their crops and one month's services annually to the London Company. Their letters to and from England were intercepted and proffers of assistance to the company in behalf of individual colonists from their friends were declined, with the assurance that they were well provided for. None was allowed to leave Virginia, except by special permission, and it is narrated that a passport from the King for the return of a colonist to England was sewed in a garter to insure its delivery.*

The settlers were, to all purposes, in a state of servitude, from

**A Briefe Declaration*, etc., McDonald Papers, Vol. I, pp. 103-142.

which, as a special favor, some were offered release on condition of working three years on Fort Charles. The abhorrence with which life in the colony was regarded is exemplified by a statement in a letter from the Spanish Ambassador in London to Philip III. of Spain, in December, 1616, that while two of three thieves under sentence of death availed themselves of the alternative of going to Virginia, the third preferred hanging.*

The climax of suffering was reached when on June 7, 1610, the sixty survivors of four hundred and ninety settlers of but eight months before, broken in health and crushed in spirit, turned their backs on the odious town where tragedy had been almost continually enacted for three years. So deeply impressed by the abject misery of this remnant had been the members of the lately arrived party of Sir Thomas Gates that they had readily joined in the flight from suffering and horrors which they believed would be their lot if they tarried at the ill-favored spot. This, the climax of the critical period of the colony, was safely passed when the astute La Warre, newly appointed governor of Virginia, being apprised on his arrival from England at Point Comfort of the intended abandonment of the colony, thwarted the plan by despatching Captain Brewster ahead of his fleet to meet the forlorn party, and turned it back to the deserted post, where the tragedy was renewed for another and longer term of years.

An amelioration of the colonists' condition was brought about by the election in 1619, of Sir Edwin Sandys, as successor to Sir Thomas Smythe, to the office of treasurer or governor of the London Company. Even before the new administration was elected, the former policy of the company, which had been actuated by commercial avarice, was abandoned, through the influence of the Sandys party, which inaugurated in its stead one inspired by broad and liberal views. The "most severe and cruel" "Lavves, Diuine, Morall and Martiall," were repealed, and courts of justice established after the manner of those of the mother country; the "ancient planters" who had arrived before the time of Dale were released from further service to the colony, land titles were confirmed and the individual ownership

* *The Genesis of the United States*, p. 900.

of land introduced by patent. The colony was also allowed to elect its own legislative body. The last mentioned privilege, however, although enjoyed in 1619, does not appear to have been officially promulgated until the publication of the written constitution in 1621,* under the administration of Sir Henry Wriothesley, Earl of Southampton, who had succeeded Sir Edwin Sandys in 1620. These reforms and privileges stimulated the colony to renewed efforts and led to the development of its principal town.

“THE NEW TOWNE.”

The new policy of the company was carried out by Sir George Yeardley, whose methods were in striking contrast with those of his predecessor, the unprincipled Argall. This marked the beginning of a new era in the colony, of which a feature was “the New Towne,” as it was styled in the patents to its residents, with new and better constructed habitations.

One of the thoroughfares of “the New Towne” is referred to in the patents as “the Back Street.” As will appear below, “the New Towne” at first comprised the most important part of the corporation, and, as a matter of fact, seems to have been the first substantially built town. Prior to its establishment, land appears not to have been perfectly vested in the settlers. With the beginning of this era and ever after, the place is referred to in the surviving patent transcripts, with the single exception of one of 1664, in which it is called “James Towne,” as “James Citty.” It is also invariably so referred to in the reports of the meetings of the General or Grand Assembly. The island and containing county were named from the town, the county still bearing the name of James City.

Although the official name of the place was “James Citty,” it was generally referred to in official correspondence as “James Towne.”

As it is the general opinion that the greater part of the ancient town site has been washed away, it will be a pleasant surprise to many to learn that this view is erroneous. The proof of the error is furnished by the old “James Citty” patent records,

* *Hening's Statutes*, Vol. I, pp. 110, 111, 112.

which, when properly interpreted, show that but a small proportion of the town site has been destroyed, and that the quarter called "the New Towne" has not been encroached on to any appreciable extent by the river. References in some of the patents to branches of "Pitch and Tarr Swamp," and to other topographical features which are probably almost as clearly defined as they were two or three centuries ago, have made it possible to locate the site of "the New Towne," and the greater part of the west end, or old town quarter. Former students of the records have either abandoned them with the conviction that they were too indefinite or obscure for solution, or misconstruing them, evolved incoherent conclusions which have misled and confused the reader. The transcripts pertaining to "James City," which are valued principally as old curios, form a labyrinth, in treading which for a long time, a step in any direction led seemingly to hopeless perplexities, and only after repeated and long continued efforts to interpret them, was the "open sesame" found, and a sufficient number linked together to furnish a chart of the ancient town. The period they cover extends from 1619 to 1699. The pages of the record containing two of the earliest and most interesting grants, viz: to Governor Sir George Yeardley, Knt., and Captain Roger Smith, as stated in the introduction, are missing. This will be generally regretted, as possibly on account of their not having been correctly deciphered, the renditions contained in historical publications are not clear.

The method employed in evolving the chart from the patents, although apparently not complicated, was slow, tedious, and replete with failures. Briefly stated, it consisted of finding and uniting plats of different tracts found to have common boundaries. The topography and objects referred to in the patents were platted simultaneously with the boundaries of the land they described.

The incompleteness of the existing records is made apparent by the references in several transcripts to patents which are not of record. Those missing were no doubt improperly entered "in books labelled Bonds, Commissions, Depositions," &c.,*

* *Hening's Statutes*, Vol. II, p. 509.

which no longer exist. Although the records are incomplete, and the descriptions in some of those available contain inaccuracies which required considerable study to correct, while those in others are too meagre or vague to afford any clue to the land's position, they, in many cases, not only furnish the metes and bounds of the area patented, but also a variety of other information, *e. g.*, the ancient names of different localities of the town and island, the positions and directions of the river-bank and highways, the sites of the second fort, called "the turf fort," "the Back Street," in "the New Towne," "the Country House," burned, probably, about 1660, the several statehouse buildings, dwellings of some of the later residents, and other objects now of great interest. A few of the earlier patents record the vocation and social position of the patentee and even the name of the ship in which he came to Virginia, and the year of arrival.

The majority of the plats based on the patents, and represented on the map by solid lines, probably possess about the same degree of accuracy as the work of the average class of compass surveys of to-day. Between 1623 and 1644 only the general directions of land lines are given in the descriptions. About the latter year the surveyors were apparently less inexact and recorded azimuths to the nearest quarter point, or about $2\frac{3}{4}$ degrees. In a patent of 1656 the azimuths of several sides are given to $\frac{1}{8}$ point.

The direction of the Back Street in the Pott patent of 1624 is recorded as "eastward." The azimuth of the street is definitely learned from the Phips patent, which included the Pott patent, and was issued thirty-two years later, to have been E. S. E. $\frac{1}{4}$ S.

Until about 1667 the azimuths of lines were expressed in the same terms as are employed by mariners in boxing the compass. Beginning with the above year, azimuths are given in degrees. By 1683, more careful work appears to have been the rule, and azimuths are recorded to one-fourth of a degree. It would appear from the foregoing that prior to about 1667 some form of the mariner's compass was used in making land surveys, and that about that year the circumferentor came into use.

The consideration on account of which land was granted was always specified in the patent. During the first twenty years it

was usually a reimbursement to the patentee of the cost of his own transportation and that of others to the colony, which he had defrayed. The portions of land are styled *devidends** and *dividends*, and were for fifty acres per capita. The grant was conditioned by the annual payment of a nominal sum of money (one shilling per 50 acres) or quantity of tobacco (two to five pounds), designated a fee rent. The fee was made payable in money or tobacco to the "Cape Merchant," as the treasurer was called, either at the feast of St. Michael, the Archangel, or at that of St. Thomas, the Apostle. In at least two of the "James Citty" patents the specified fee is a capon, "to his Majestie's use," payable "at the feast of St. Thomas the Apostle."† A condition named in some patents between 1636 and 1640 is that the patentee should erect a house within six months.‡

The "James Citty" patents usually describe the grant as being a part of a dividend of fifty acres, or more, situated outside the liberties of the town.

Several patents issued under Cromwell were subsequently confirmed by being re-issued under Charles II.

The transcripts of the patents are the sole remaining evidence authoritatively fixing the initial spot of the nation's history, as almost all other records, including those of the early conveyances, were burned during the War between the States.

The patents relating to "James Citty" are scattered through nine ponderous volumes of MSS. Book I, on account of its antiquity, is the most interesting of the series. As shown by his indorsement at the end of the book, the transcript was made by Edward Harrison in 1683, or nearly a century before the United States attained its independence. The handwriting is clear and uniform and to one familiar with the characters then employed, is readily deciphered.

The abbreviation "y" for *th* in *the* and *that* does not appear in this book, which includes the issues up to and during a part of the year 1643. Its first occurrence is in Book VII, in the

* This orthography is given in some of the earlier patents.

† Virginia Land Patent Records, Book I, p. 689, and Book IV, p. 475.

‡ Virginia Land Patent Records, Book I, p. 689; and Book IV, p. 475.

patent to Edward Chilton, of 1683. The lower case ancient script letter "p" frequently appears as an abbreviation for *per* or *par* in the patents of the entire "James City" period.

The second volume is indorsed "Beverly," probably Peter Beverly, who from 1692 to 1700 was clerk of the House of Burgesses, and in the latter year became its speaker. The book was written in 1694. There are no indorsements in the other books to show when they were written or the names of the scribes.

The first two books were undoubtedly written at "James City," and, after escaping the State house fire of 1698, and that of the Capitol at Williamsburg about 1747, were probably moved to Richmond in 1780, when that city became the capital. They have thus passed through two ordeals of fire and two wars and, after silently witnessing many vicissitudes of fortune, rest in the historic Capitol at Richmond.

There does not appear to be any record of legislative enactment defining the limits of "James City" except one of "Bacon's Laws," passed in 1676, by which those then existing were extended to include the entire island.* The above act, unfortunately, does not recite the previous limits. Shortly after the Bacon uprising was suppressed and the Berkeley government re-instated, the above law was repealed.

Beverly wrote in 1705, that in 1620, the corporations, as they were then styled, were bounded, and that one of the new record books of transcripts contained a statement of Governor Argall to the effect that he had a knowledge of the boundaries of "James City." He, however, adds that "there was not to be found one word of the charter or patent itself of the corporation."† The patent to Captain John Harvey in 1624 shows that the lower branch of "Pitch and Tarr Swamp" was the town's eastern boundary.

The patents indicate that the town included nearly all of the island above the "Head of Swamp," between James River and the Back River (see map), and that the first and second ridges formed, as it were, outlying districts. They show clearly that

* *Hening Statutes*, Vol. II, p. 362.

† *History of the Present State of Virginia*, p. 37.

after 1623, the most thickly settled part of the town was the "New Towne," on the south shore of the island, below the church.

About the time of Bacon's Rebellion, according to "Bacon's Proseedings," of unknown authorship, in the Burwell MSS. collection,* the town was situated "much about the midle of the Sowth line, close upon the River, extending east and west, about 3 quarters of a mile." This description accords with its location as determined from the patents and shown on the map between the initial letters F and G. The church tower, therefore, stood near the western end of the town.

"The New Towne" was situated on the southern slope of the same ridge as the tower ruins (the fourth) and extended east from the first town of four acres, about three-eighths of a mile, to the lower branch of "Pitch and Tarr Swamp." This area is now mostly covered with orchards, in which considerable portions of the ground are filled with particles of brick and mortar of former buildings, scattered by the plow.

Back Street was east of the church and at distances from the south shore of the island varying from two hundred to six hundred feet. The parts of it located were about sixty feet wide,† and had the same general direction, east and west, as the highway referred to in the patents as the "way along the Greate River," or "Maine River," which constituted the front street of the "New Towne." The two thoroughfares were connected by cross lanes, referred to as highways. The Back Street lay immediately in front of what is believed to have been the site of the Jacquelin-Ambler mansion. It could not have been a street in the modern signification of the word, with sidewalks and pavements, for paving before the doors of houses, even in "London Towne," was not introduced until 1614. It seems to have merged into the "old Greate Road," which led to the head of the island and passed near the northeast corner of the old churchyard, a few rods from the same corner of the present one, near which there appear to be traces of a road.

* Force's *Historical Tracts*, Vol. I.

† Obtained by platting independently the tracts on opposite sides of the street.

Traces of the highway along the river-bank, bordered by its gnarled and riven mulberries, lineal descendants, no doubt, of some cited in several patents as reference trees, are still to be seen. The planting of mulberry trees for feeding silkworms was initiated in 1621, and made compulsory by statute. Silk culture received attention as early as 1614, but the enterprise was never a commercial success. Foreign workmen were imported to teach silk making, and a present of silk was sent Charles II by Sir William Berkeley in 1668.*

Among the earlier residents of "the New Towne" were some "people of qualite" and note, including four governors, Sir George Yeardley, Knight; Sir Francis Wyatt, Knight; Sir John Harvey, Knight, "Mister, Governor and Doctor Pott," "Doctor of Physick" and "Physician General to the Colony;" also Captain Ralph Hamor, secretary of state and chronicler; George Sandys, who, while there and residing at William Pierce's (see map), achieved a part of his work of turning into English Ovid's *Metamorphoses*; Captain Roger Smith, Captain Richard Stevens, who wounded George Harrison in a duel near "James Citty," and George Menify, merchant and member of the council, who married the relict of John Rolfe, whose second wife was Pocahontas. The grounds of the above persons are shown more or less accurately on the map.

Sir George Yeardley's grounds had an area of seven acres, one rood, and appear to have extended from the branch of the swamp to the Back River. The area of Governor Wyatt's tract is not known. It included the ground, where, at a later day, stood the Jacquelin-Ambler mansion. Dr. Pott first patented

* The present of silk, it is stated, was woven into a coronation robe for King Charles. As soon as the King graciously signified his acceptance of the above *douceur*, Sir William presented a petition asking, as a special allowance, the customs duties on a ship's cargo of tobacco. The King adroitly parried this request by sending a warrant for the allowance requested, but payable when Sir William should send to England from Virginia a 300-ton ship laden with silk, hemp, flax, and potatoes. (Sainsbury's Abstracts, June 12, 1669.) It does not appear that the governor ever sent the above shipload of commodities and received the reward.

three acres and a few years later added nine acres. Captain Roger Smith's lot was four acres.

In 1665, there was a bridge across the branch of swamp near the northwest corner of the former twelve acre tract of Governor Pott,* connecting the fourth and second ridges. There is a causeway at the above point which may have been the bridge. This probably was the same bridge referred to in the rendition of the Yeardley patent contained on page 68 of Neill's *Virginia Carolorum*.

Among the later residents of "the New Towne" were Captain George Marable, John Barber, Robert Castle, John Phips, Thos. Woodhouse, John Fitchett, John Knowles and Rev. William Mays. A list of the last residents after Bacon's Rebellion would include the names of Henry Hartwell, Clerk of the Court, John Howard, Richard Holder, Lieutenant-Colonel Chiles, John Page, and although last, not least, Wm. Sherwood, the epitaph on whose tombstone in the little churchyard tells that he was "Born In the Parish Of White Chappell Near London. A Great Sinner Waiting For A Ioyfull Resurrection." Sherwood, during Bacon's Rebellion, was an adherent of Sir William Berkeley. He was attorney-general, 1678-1680. In 1694 he was the proprietor of upwards of three hundred acres of land at the head of the island, including the outlying extreme western part of the town above the upper branch of "Pitch and Tarr Swamp," and a small part of the "New Towne" adjacent to Back Street.

The elevated position of the part of the fourth ridge north of the Back Street, between the site of the Jacquelin-Ambler messuage and the grounds of the Association for the Preservation of Virginia Antiquities, should have made it much sought after for residential purposes. There are some indications of there being house foundations along the line of the Back Street. The names of their occupants can probably never be ascertained, as there are apparently no documents containing that information.

In the address of ex-president Tyler, delivered at Jamestown in 1857 at the celebration of the 250th anniversary of the first landing of the English, he remarked in referring to the destruction of the town by Bacon in 1676: "The town was partially

* Va. Land Pat. Records, Book V, p. 63.

rebuilt, and many of its houses remained during my early novitiate at William and Mary College" (1802-1807). "They stood in a connected street running east and west from near the present dwelling-house (The Jacquelin-Ambler mansion) to the ruins of the church."

The foundations just mentioned probably belonged to the buildings alluded to by President Tyler. "The connected street running east and west" undoubtedly *was* the Back Street.

"The New Towne" was always inhabited until "James Citty" ceased to exist, the names of various owners of land in that quarter, belonging to different generations, being shown by the patents. Individuals bearing the surnames of many of the former townspeople are still to be found within one hundred miles of the site of "James Citty."

WEST END OF THE TOWN.

The positions of land grants east of the church tower ruin being determined and the "New Towne" accurately located, investigation was made for the area west of the above ancient landmark. This resulted in placing approximately several early grants, previously referred to, near the head of the island on its western shore and in establishing quite satisfactorily the situation of the Bauldwin grant of 1656, which locates Block House Hill, also in showing the positions of the grants of John Howard, Robert Beverly, the historian, Richard Lawrence, the compatriot of Nathaniel Bacon, Jr., Edward Chilton, attorney-general, Colonel Nathaniel Bacon the elder, Lieutenant Edward Ross, Colonel Philip Ludwell the first,* and Philip Ludwell, Esq. (the second), of 1694. The last named grant fixes the position of the last state house.

The tract described is an undated patent to John Howard of about 1690,† which Governor Sir Francis Nicholson failed to

* Philip I was member of the Virginia Council for many years; was expelled therefrom in 1679, reinstated in 1683 and again expelled in 1687 and disqualified for holding office; governor of Carolina 1689-'92; subsequently resided in London and died in England after 1716. Philip II, born 1666, died 1720. Speaker of House and member of Council. Buried at Jamestown.

† Virginia Land Patent Records, Book VIII, p. 82.

sign, but which was signed by Governor Sir Edmund Andros in 1694, is approximately located by the present churchyard inclosure (see map).

From the above patent it is learned that the direction of the "old Greate Road" near and north of the churchyard was N. $27\frac{3}{4}^{\circ}$ W. What would seem to be marks of this road are visible at the above locality, as before mentioned. Its objective point was probably the isthmus. The parts of the road shown on the map not fixed by the patents are tentative.

From the Howard patent it is learned that Colonel Nathaniel Bacon, Senior, the second cousin of the patriot of the same name, owned a lot adjoining the Howard tract on the west. It would also appear from agreeing in bearing, that its northern boundary was part of one of the southern boundaries of part of a lot that once belonged to the scholarly Lawrence, sequestered on account of its owner's participation in Bacon's Rebellion, and bought by Colonel Bacon, Senior, in 1683—possibly because it adjoined his tract. Lawrence's house, according to T. M.'s account of Bacon's Rebellion,* was one of the finest in the town. The remainder of the Lawrence tract probably extended east of that bought by Bacon. On using the common boundary line of the Howard and Lawrence plats, and placing the former in what appears to be its proper position near the graveyard, the latter is found to have for its northern boundary the branch of "Pitch and Tarr Swamp," which accords with the description in the patent.

The patent of the Lawrence tract † fixes the position, as its western boundary, of a grant to Robert Beverly in 1694, which in turn furnishes the position of "The Maine Cart road," probably another name for "the old Greate Road," leading, most probably, past the well about one rod east of the state house building on the third ridge, towards the isthmus and Block House Hill.

A correspondence of the course of the western line of a tract granted to William Edwards ‡ in 1690 with that of the eastern

* Force's *Historical Tracts*, Vol. I.

† Virginia Land Patent Records, Book VII, p. 300.

‡ *Ibid*, Book VIII, p. 42.

line of the Chilton tract locates the Edwards tract, and through it the western line of a lot of Nathaniel Bacon, Senior. The eastern boundary of the Bacon tract, as has been pointed out, was the Howard tract. Bacon's lot, therefore, occupied the greater part of the eastern half of the space on which stands the Confederate fort of 1861.

(TO BE CONTINUED)

TRIAL OF REV. ARCHIBALD McROBERTS,
Minister of Dale Parish, Chesterfield.

The people of Chesterfield county, Va., just before the Revolution, were evidently nothing if not orthodox. As has been known they sent Baptist ministers to prison for preaching, and in the case treated of below they indicted the rector of Dale Parish for a violation of the canon in regard to psalm-singing. There is no record of the case having been argued in regard to the law, as directed in March, 1774, and nothing is known of its termination.

For a notice of Mr. McRoberts see *Meade*, I, 448-450.

Is there another instance in our records where a county court tried a minister for a breach of ecclesiastical law?

May Court, 1772.

Robert Haskins, foreman, with Benjamin Beasley, Martin Baker, Olive Branch, Jun., Richard Covington, Peter Baugh, Jun., John Baugh, John Bowman, Jesse Traylor, Lodowick Vaden, Archer Traylor, Mark Puckett, Eleazer Moor, Tho. Nunnally, Tho. Cheatham, Elam Farmer, James Elam & Henry Branch were sworn in a Grand Jury for the Body of this County & having received their Charge retired & after some time returned & presented the following, to-wit:

The reverend Archibald McRoberts, Minister of Dale parish, for making use of Hymns or poems in the Church Service instead of David's Psalms, contrary to Law within twelve months last past.